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**BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH**

UTAH CHAPTER OF THE SIERRA CLUB,
et al.,

Petitioners,

Docket No. 2009-019
Cause No. C/025/0005

DIVISION OF OIL, GAS AND MINING,

Respondent, and

ALTON COAL DEVELOPMENT, LLC, and
KANE COUNTY, UTAH,

Intervenors-Respondents.

PETITIONERS' MOTION FOR LEAVE TO CONDUCT A SECOND SITE VISIT

Pursuant to Utah Admin. Code § R641-108-900 and Rule 34(a)(2) of the Utah Rules of Civil Procedure, Utah Chapter of the Sierra Club ("Sierra Club"), Southern Utah Wilderness Alliance ("SUWA"), Natural Resources Defense Council ("NRDC"), and National Park Conservation

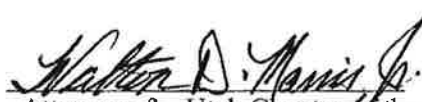
Association ("NPCA")(collectively, "Petitioners") move the Board for leave to issue notice of, and to conduct, a second inspection of the permit and adjacent area described in the coal mining permit at issue in this proceeding. The grounds and legal argument for this motion are stated in the supporting memorandum that Petitioners file simultaneously with this motion.

WHEREFORE, for the reasons stated in Petitioners' supporting memorandum and in prior memoranda on the inspection issue in this proceeding, Petitioners request that the Board grant them leave to issue notice of, and to conduct, a second inspection of ACD's permit and adjacent area at such future time as that land becomes free of snow cover and any other condition that may obstruct achievement of Petitioners' purposes in inspecting the site.

Dated: March 10, 2010

Respectfully submitted,

By:


Attorneys for Utah Chapter of the
Sierra Club, *et al.*

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CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of March 2010, I served a true and correct copy of **PETITIONERS' MEMORANDUM IN SUPPORT OF THEIR MOTION FOR LEAVE TO CONDUCT A SECOND SITE VISIT** to each of the following persons via e-mail transmission and United States first-class mail, postage pre-paid:

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